

**Castel NYSD Chambers**

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**From:** Matthew R. Lee <[REDACTED]>  
**Sent:** Wednesday, August 17, 2022 3:58 PM  
**To:** Castel NYSD Chambers  
**Cc:** [REDACTED]  
**Subject:** Press request to unseal all or part of the motion(s) submitted entirely under seal for Ronald Enrique Salguero Portillo & Otto Rene Salguero Morales in US v. Diaz Morales, et al., 15-cr-379 (PKC) Dear Judge Castel: On behalf of Inner City Press and in my...  
**Attachments:** castelhondurasmotions1icpreq081722.docx

**CAUTION - EXTERNAL:**

August 17, 2022

By E-mail to chambers

Hon. P. Kevin Castel, United States District Judge  
Southern District of New York, 500 Pearl Street, New York, NY 10007

Re: Press request to unseal all or part of the motion(s) submitted entirely under seal for Ronald Enrique Salguero Portillo & Otto Rene Salguero Morales in US v. Diaz Morales, et al., 15-cr-379 (PKC)

Dear Judge Castel:

On behalf of Inner City Press and in my personal capacity, this is near immediate request to unseal, in full or at least in part, the motions discussed this afternoon in open court in the above-captioned proceeding, which Inner City Press is covering.

Outgoing counsel for Mr. Ronald Enrique Salguero Portillo, it was said, submitted a motion on August 3, 2022 regarding alleged problems with the testimony of a witness, "Ardon Soriano." This was apparently followed up with a second motion submitted today, August 17, 2022.

But neither motion is contained in the docket on PACER, nor any request to file under seal.

The First Amendment to the U.S. Constitution guarantees to the public a right of access to court proceedings. U.S. CONST. AMEND. I; *Globe Newspaper Co. v. Superior Court*, 457 U.S. 596, 603 (1982). The public's right of access is strongest when it comes to criminal proceedings such as these, which are matters of the "high[est] concern and importance to the people." *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 575 (1980) (plurality opinion).

This is a Press request that the filings be unsealed consistent with *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006). Parties such as Inner City Press and myself have

*The government and the  
defendants may respond to  
this application by August  
22, 2022.*  
*SO ORDERED*  
*[Signature]*  
*USDS*  
*8-17-22*

standing to intervene in criminal proceedings to assert the public's right of access. *United States v. Aref*, 533 F.3d 72, 81 (2d Cir. 2008).

This is a request that this opposition to sealing be docketed as, for example, took place in *US v. Bright*, 19-cr-521 (PKC), and in this case, regarding Juan Carlos Bonilla Valladares, on May 11, 2022,, after which Magistrate Judge Katharine H. Parker ruled:

"The Financial Affidavit was filed under seal. On May 11, 2022, Matthew Russell Lee ("Lee"), a reporter with Inner City Press, filed a letter intervening on behalf of the public and requesting that the Financial Affidavit be unsealed. (ECF No. 6.) FN: As a public journalist, Lee has standing to intervene in this matter and assert the public's First Amendment right to access judicial documents. *Id.* at 44, n.2; see also *United States v. Aref*, 533 F.3d 72, 81 (2d Cir. 2008)... Lee argued that unsealing the Financial Affidavit is consistent with precedent in this Circuit. On May 12, 2022, I ordered the Defendant and the Government to file any responses to Lee's request by May 20, 2022. Neither party filed a response. For the reasons that follow, I find that the Financial Affidavit should be unsealed."

The same should happen here, forthwith.

"Representatives of the press must be given an opportunity to be heard on the question of their exclusion from a court proceeding, and we have recognized a similar right of news media to intervene in this Court to seek unsealing of documents filed in a court proceeding." *Trump v. Deutsche Bank AG*, 940 F.2d 146, 150 (2d Cir. 2019) (internal citations, quotation marks and alterations omitted). The Press' interest is separate and apart from that of the defense.

"The common law right of public access to judicial documents is firmly rooted in our nation's history." *Lugosch*, 435 F.3d 110, 119 (2d Cir. 2006).

If appropriate, PLEASE TAKE NOTICE that Inner City Press and its undersigned reporter, in personal capacity, will move this Court before Honorable P. Kevin Castel, U.S. District Judge for the Southern District of New York, at a date and time directed by the Court, for entry of an order granting permission to the heard on or unsealing of all or parts of the motions submitted on or about August 3 and August 17, 2022 in *US v. Diaz Morales, et al.*, 15-cr-379 (PKC)

If any further information is needed, please contact the undersigned at

Respectfully submitted,

/s/

Matthew Russell Lee, Inner City Press

cc: d [REDACTED]

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July 27, 2021, Associated Press, "Judge orders release of Avenatti financial information," "As the judge considered whether to keep the information sealed, he received submissions from the Inner City Press, a media outlet which sought disclosure, and documents from attorneys in the case," <https://apnews.com/article/trials-new-york-michael-avenatti-3aad777a30a2a9be8b9c5a07e6457b70>

March 17, 2020, The Daily Dot, "Tech reporter Peter Bright found guilty for soliciting minors for sex online," by Libby Cohen, "'VERDICT: In Retrial ArsTechnica Peter Bright Is Found Guilty of Attempted Enticement Of a Minor For Sex, Says Jury,' Inner City Press reported," <https://www.dailymdot.com/debug/peter-bright-guilty/>

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